

REMARKS

This application has been reviewed in light of the Office Action dated January 10, 2003. Claims 1-3 and 5-27 are pending in this application, with Claims 1, 8, 16, 19, and 22 in independent form. Claim 4 has been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 1, 8, 16, and 26 have been amended to define more clearly what Applicants regard as their invention. Applicants note that the changes to Claims 16 and 26 affect matters of form only and do not, in any way, narrow the scope of either of these claims. Favorable reconsideration is requested.

The Office Action includes a series of objections to the drawings. Each objection is remedied by the foregoing amendments or by these remarks.

As an initial matter, in accordance with the revised amendment format, formal substitute drawings, making the changes described below, are being prepared and will be submitted as soon as possible. In the meantime, Applicants enclose with this Amendment, a copy of the figures being modified with changes shown in red, to assist the Examiner in evaluating Applicants' changes. Additionally, no new matter is believed to have been added by the changes made to the specification described below.

The first objection to the drawings was under 37 C.F.R. § 1.83(a), for allegedly not showing every feature of the invention specified in the claims. The Office Action states that "the actuating member, lock mechanism, and side plate (plate-like member) must be shown or the feature(s) cancelled from the claim(s)." (See paragraph 1 of the Office Action.) The actuating member recited in Claim 8 corresponds to the sensor actuator 218 described at page 61, line 24, and shown in Figure 11. The lock mechanism recited in Claim 25 corresponds to the lock member 531 described at page 104, line 14, and shown in Figure 32. The plate-like separating member, originally recited in Claim 4, and

now recited in Claim 1, corresponds to the separating piece 146 described at page 39, line 6, and shown in Figures 1 and 7.

The second objection to the drawings was under 37 C.F.R. § 1.84(p)(4), for using two reference numerals, “461” and “481,” to designate CIS. In response, Applicants have amended page 93, line 7, to read --CIS 461-- instead of “CIS 481.” The CIS is now referred to only as CIS 461.

The Office Action also includes a set of objections to the drawings under 37 C.F.R. § 1.84(p)(5), for allegedly including reference numerals mentioned in the specification, but not shown in the drawings. With the exception of reference numerals 14, 21b, 428, and 1104a, all of the reference numerals, listed in the top half of paragraph 3 of the Office Action, were found in the figures. For reference numeral 14, Applicants have amended page 54, line 9 of the specification to read --the reading sensor 214--, instead of “a reading sensor 14.” Reading sensor 214 can be found in Figure 10. In regard to reference numeral 21b, Applicants have amended page 62, line 6, to read --feeding roller 211b--, instead of “feeding roller 21b.” Feeding roller 211b is shown in Figure 10. For reference numeral 428, Applicants have amended page 88, line 20, to read --Numeral 426 denotes a sensor for detecting the tip end of the recording sheet--, instead of “Numeral 428 denotes a sensor for detecting the tip end of the recording sheet.” Sensor 426 can be found in Figures 22 and 23. Finally, in regard to reference numeral 1104a, Applicants are amending Figure 37 to include this reference numeral.

As for the remaining reference numerals listed in the top half of paragraph 3 of the Office Action, they have been located in the figures as follows:

11: Figure 1, upper-right

12: Figure 1, right

13: Figure 1, middle-right
14a: Figure 1, lower-middle
14b: Figure 1, lower-middle
16a: Figure 1, lower-middle
16b: Figure 1, middle
17a: Figure 1, lower-middle
17b: Figure 1, middle
18: Figure 1, middle, lower-right
19: Figure 1, upper-right
24: Figure 10, middle
37a: Figure 15, bottom
51: Figure 29, upper-right
52: Figure 29, upper-right
110: Figure 2, lower-left
110a: Figure 2, lower-right
113: Figure 2, lower-left
114: Figure 2, right
115: Figure 2, lower-left
116: Figure 2, lower-left
118: Figure 1, middle, lower-right
121: Figure 1, top
122: Figure 1, upper-left
123: Figure 1, top
124: Figure 1, lower, middle-right

125: Figure 1, lower-right
126: Figure 1, lower-right
127: Figure 1, lower-right
128: Figure 1, lower-right
131: Figure 1, upper-left
137: Figure 1, lower-left
138: Figure 1, lower-left
139: Figure 1, top
144b: Figure 3, left
145: Figure 1, top
147: Figure 1, top
148: Figure 1, upper-left
149: Figure 1, upper-left
150: Figure 1, top
151: Figure 1, top
152: Figure 1, top
153: Figure 3, middle-right
157: Figure 3, middle-right
156: Figure 3, middle-right
158: Figure 3, lower-right
161b: Figure 3, right
162b: Figure 3, right
164: Figure 3, top
166: Figure 3, top

191: Figure 1, right-hand side

220a: Figure 12, lower-left

221: Figure 11, middle

351: Figure 15, top

353: Figure 15, top

361: Figure 15, top

363: Figure 18, lower-right

472: Figure 21, upper-left

519: Figure 31, lower-left

534: Figure 29, middle

3101: Figure 39, upper-right

3102: Figure 39, right

3103: Figure 39, right

3104a: Figure 39, bottom

3104b: Figure 39, bottom

3106a: Figure 39, bottom

3106b: Figure 39, middle

3107a: Figure 39, bottom

3107b: Figure 39, bottom

3155: Figure 39, upper-left

3157: Figure 39, lower-left

3158: Figure 39, upper-left

9907: Figure 42, middle

The Office Action also includes objections to the drawings under 37 C.F.R. § 1.84(p)(5) as allegedly including reference numerals shown in the drawings, but not mentioned in the specification. The Office Action lists these suspect reference numerals in the bottom half of paragraph 3 of the Office Action. Applicants are deleting reference numerals 230a, 380, 381, 382, 382a, 900, and 539b from the drawings. Applicants are also changing reference numeral 34 in Figure 15 to --34a--. Finally, Applicants have amended page 2, line 25 of the specification to read --numeral 1110 denotes a reading unit for reading the image of the conveyed document--, instead of "numeral 1100 denotes an image reading device for reading the image of the conveyed document."

As for the remaining reference numerals listed at the bottom half of paragraph 3 of the Office Action, they have all been found in the specification at the locations listed below:

167: Page 44, line 24

193: Page 46, line 2

179: Page 49, line 9

180: Page 49, line 10

235: Page 70, line 6

223: Page 62, line 11

228: Page 66, line 26

38: Page 73, line 4

355: Page 77, line 24

390: Page 75, line 1

314: Page 74, line 27

368: Page 79, line 13

415: Page 91, line 12
423: Page 88, line 15
456: Page 92, line 11
463: Page 94, line 6
464: Page 94, line 6
491: Page 94, line 26
473: Page 95, line 13
56: Page 104, line 6
59: Page 104, line 5
523: Page 105, line 6
517b: Page 107, line 26
518b: Page 107, line 27
531b: Page 107, line 2
543: Page 106, line 24
519a: Page 108, line 11
519b: Page 108, line 16
551: Page 110, line 7
552: Page 110, line 9
3159: Page 13, line 13
3160: Page 13, line 14
9905: Page 18, line 4

Applicants believe that all of the objections to the drawings have been remedied, and respectfully request their withdrawal.

The independent claims were all rejected as being anticipated, and each such rejection will be addressed below. Applicants respectfully traverse these rejections and submit that independent Claims 1, 8, 16, 19, and 22, as now presented, together with the remaining dependent claims, are patentably distinct from the cited prior art at least for the following reasons.

Applicants will first address the § 102(b) rejection of independent Claim 1 based on U.S. Patent No. 5,452,098 (Sato et al.).

As now presented, Claim 1 requires, among other things, a separating means comprising a separating roller and a plate-like separating member, wherein the separating means is disposed in either one of an upper unit and a lower unit. In other words, the separating roller and the plate-like separating member are located *together* in either the upper unit or the lower unit.

In rejecting Claim 1, the Office Action refers to Sato et al. as disclosing “separating means (Ref 223) for separating the document stacked on said stacking means sheet by sheet (Col 12 Lines 47-50),” wherein “said separating means (Ref 224) is disposed in either one of said upper unit and said lower unit (Col 12 Lines 65-68).” However, Applicants understand Sato et al. to disclose a separation member located in an upper unit *separately* from a separation roller located in a lower unit. That is, Sato et al. is not understood to disclose having *both* a separation member *and* a separation roller located together in either an upper unit or lower unit. For example, Sato et al. states that “[t]he upper structure carries . . . the separation member 224 The lower structure carries . . . the separation roller 223” (Col. 12, line 65, to col 13, line 4). Therefore, Applicants believe that nothing in Sato et al. would teach or suggest to a person having ordinary skill in the relevant art, the separating means comprising a separating roller and a plate-like

separating member, wherein the separating means is disposed in either one of the upper unit and the lower unit, as recited in Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over Sato et al. and respectfully request withdrawal of the corresponding § 102(b) rejection.

Applicants will now address the § 102(e) rejection of independent Claim 8 based on U.S. Patent No. 6,342,956 B1(Hasegawa et al.).

As now presented, Claim 8 requires, inter alia, a detecting means for detecting opening/closing of an operating unit and attachment/detachment of a reading unit to a device body. In other words, a single detecting means detects both the opening/closing of the operation unit *and* the attachment/detachment of the reading unit to the device body.

As a disclosure of a detecting means according to the present invention, the Office Action refers to the indication unit 403 and column 30, lines 19-26 of Hasegawa et al. As a first point, the indication unit 403 is understood to be an output device, not a reading unit. (See col. 30, lines 9-10, and col. 30, lines 19-21). As a second point, Hasegawa et al. describes a “sensor that detects the opening and closing of the indication unit 403 or the sensor and the like that detects the attachment and detachment of a battery” (Col. 33, lines 20-23). In other words, Hasegawa et al. is understood to disclose a sensor that detects when the indication unit 403, an output device, is open or closed. In contrast, the present invention detects when a *reading* unit is *attached/detached* to the device body, and also detects the opening/closing of the operating unit. Since Hasegawa et al. is not understood to disclose detecting when a reading unit is attached/detached, Applicants submit that nothing in Hasegawa et al. would teach or suggest to a person having ordinary skill in the relevant art, the detecting means for detecting opening/closing of the operating unit and attachment/detachment of the reading unit to the device body, as

recited in Claim 8. Accordingly, Applicants also submit that Claim 8 is patentable over Hasegawa et al. and respectfully request withdrawal of the corresponding § 102(e) rejection.

Applicants will now address the § 102(b) rejections of independent Claims 16 and 19 based on U.S. Patent No. 5,637,070 (Sasai).

Claims 16 and 19 require, among other things, a reading section having reading means for reading a document and separating means for separating the document sheet by sheet to feed the document to the reading means, wherein the separating means of the reading section is disposed above the recording means, and wherein the separating means can open by rotating. By having the openable separating means located above the recording means, the present invention facilitates easy access to the recording section of an image processing apparatus.

In rejecting Claims 16 and 19, the Office Action points to the recording unit B, the reading unit C, Figure 2, and column 4, lines 59-61, of Sasai. However, as shown in Figure 2 of Sasai, the reading unit C is located to the left of the figure, and the recording unit B is located to the right of the figure. The cover member 2, which is not understood to be a part of the reading unit C, is opened by rotating around the shaft 3, as shown in Figure 1. In contrast, the invention of Claims 16 and 19, requires that the separating means of the *reading section* can open by rotating. Sasai is not understood to disclose the opening by rotation of a separating means of the reading unit C. Therefore, it is believed that nothing in Sasai would teach or suggest to a person having ordinary skill in the relevant art, a reading section having reading means for reading a document and separating means for separating the document sheet by sheet to feed the document to the reading means, wherein the separating means of the reading section is disposed above the recording means, and

wherein the separating means can open by rotating, as recited in Claims 16 and 19.

Accordingly, Applicants submit that Claims 16 and 19 are patentable over Sasai, and respectfully request withdrawal of the corresponding § 102(b) rejections.

Applicants now address the § 102(e) rejection of independent Claim 22 based on U.S. Patent No. 4,962,526 (Kotani et al.).

Claim 22 requires, among other things, a positioning means for positioning the document reading section in a predetermined position when the document reading section is mounted to the device body, wherein the positioning means comprises (1) a plurality of first regulating members which can regulate positions of the document reading section in a document conveying direction and in a direction intersecting the document conveying direction, and which are disposed in either one of the device body and the reading cover section; and (2) a second regulating member for positioning the document reading section in a vertical direction.

As a disclosure of such features, the Office Action refers to column 7, lines 36-49, of Kotani et al. However, this portion of Kotani et al. describes the differences in reading processing and pulse motor driving when the reading unit 4 is mounted/dismounted on/from the apparatus main body 2. This portion of Kotani et al., along with the rest of Kotani et al., appears to be silent with regard to a *positioning* means which uses a plurality of regulating members to position a document reading section in a predetermined position when the document reading section is mounted to the device body. Therefore, it is believed that nothing in Kotani et al. would teach or suggest to a person having ordinary skill in the relevant art, a positioning means for positioning the document reading section in a predetermined position when the document reading section is mounted to the device body, wherein the positioning means comprises (1) a plurality of first regulating members

which can regulate positions of the document reading section in a document conveying direction and in a direction intersecting the document conveying direction, and which are disposed in either one of the device body and the reading cover section; and (2) a second regulating member for positioning the document reading section in a vertical direction, as recited in Claim 22. Accordingly, Applicants submit that Claim 22 is patentable over Kotani et al., and respectfully request withdrawal of the corresponding § 102(e) rejection.

A review of the other art of record has failed to reveal anything that, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicants

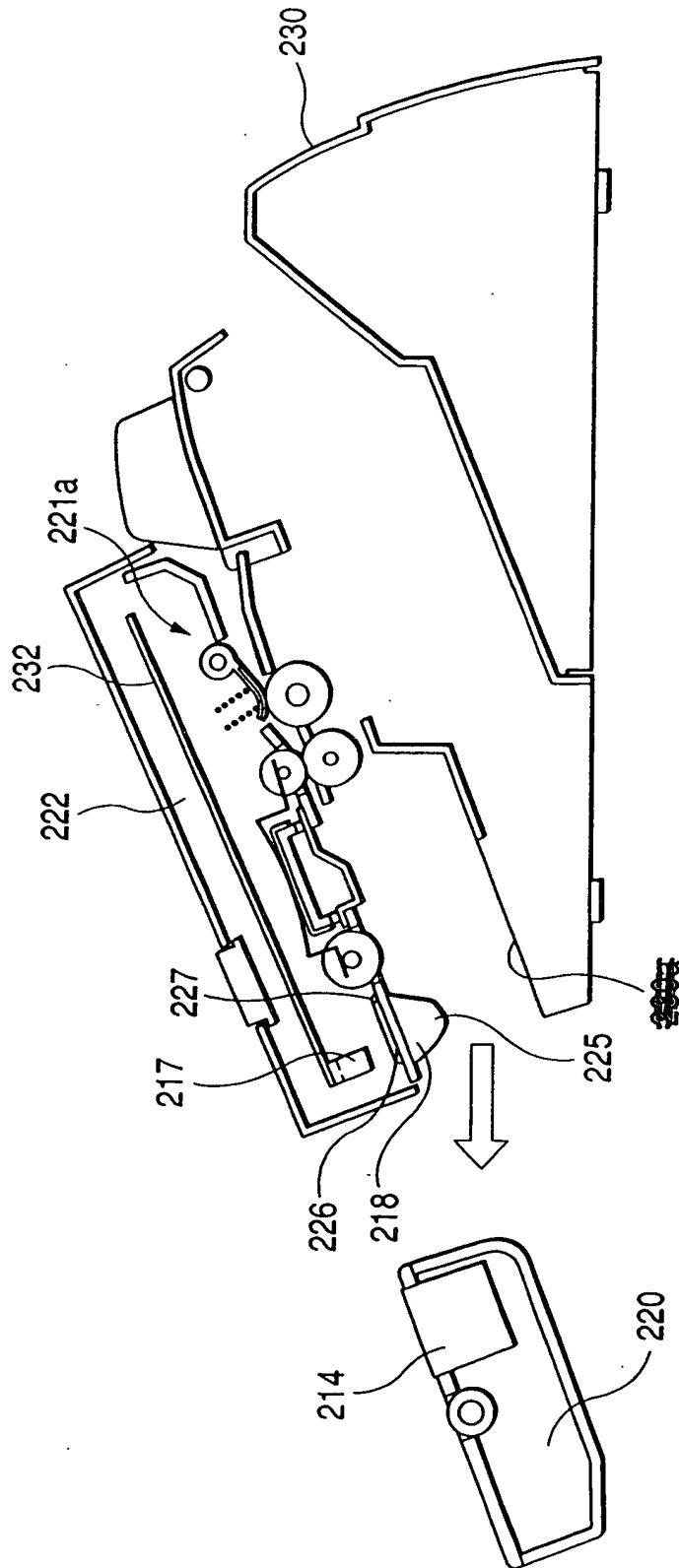
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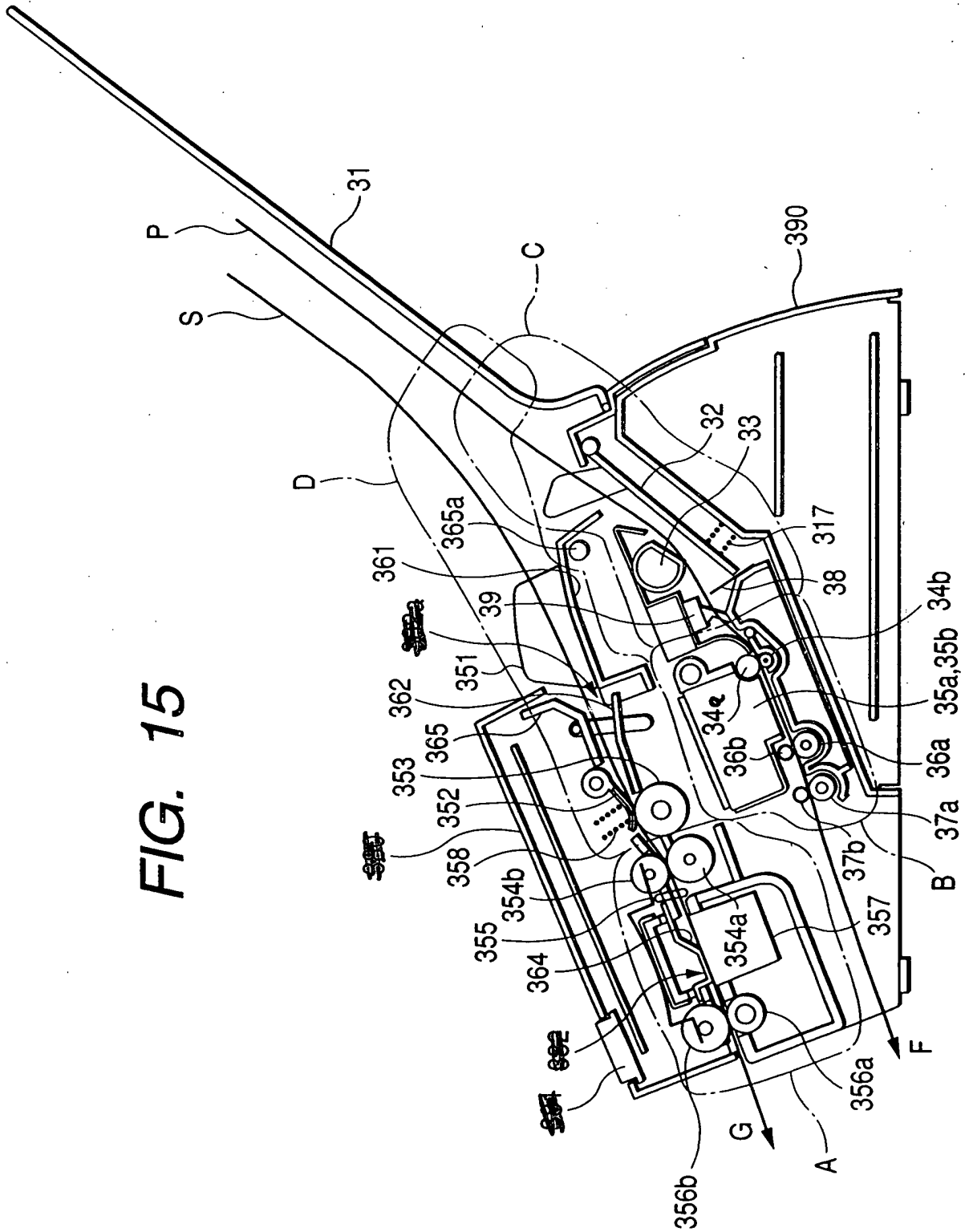
FIG. 13



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15/42

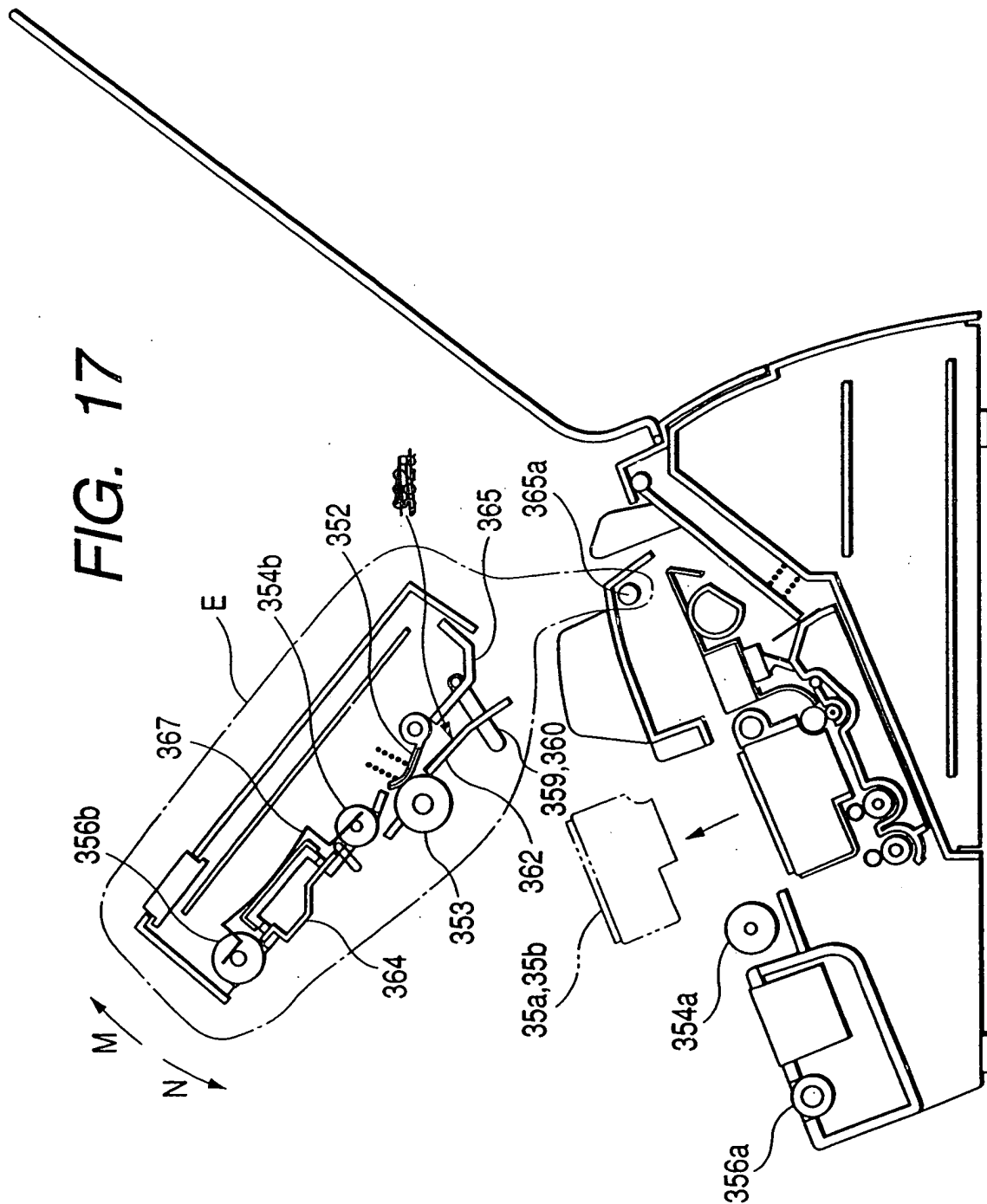
FIG. 15



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FIG. 17



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FIG. 20

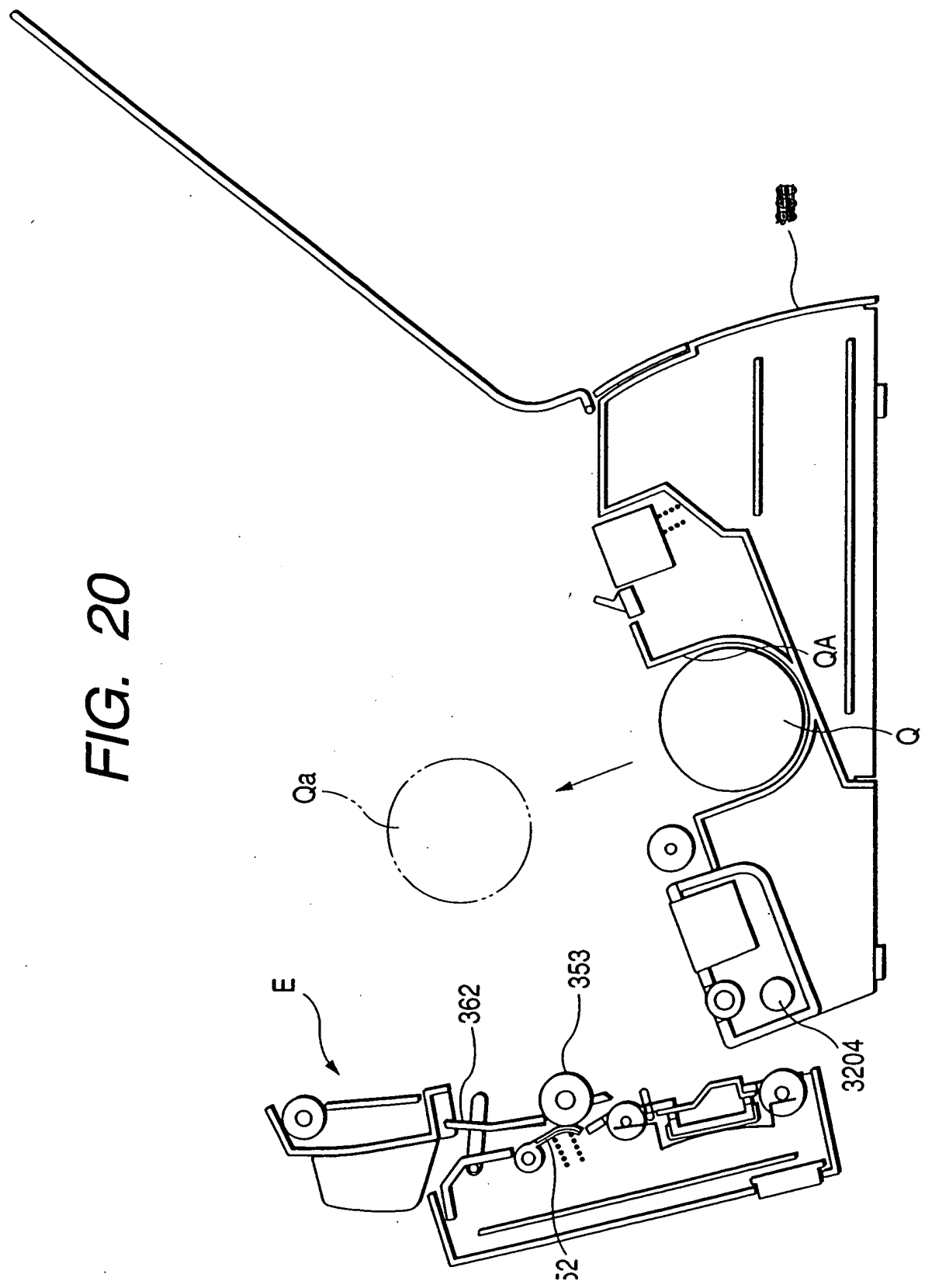




FIG. 37

